

**Meeting of the Central Valley Flood Protection Board
June 20, 2008**

**Draft Staff Report
DWR Floodway Protection Section**

Item

Consider approval of Permit No 18268 to replace existing irrigation pipe through the left (east) bank levee of Elk Slough.

Applicant

Bogle Vineyards, Inc.

Location

The project is located south of Clarksburg on County Road 144 in Yolo County (see Attachment B).

Description

The applicant wishes to replace existing 10-inch-diameter irrigation pipe with a 12-inch-diameter pipe through the left (east) bank levee of Elk Slough.

Agency Comments and Endorsements:

- The U. S. Army Corps of Engineers endorsement has not been received but is anticipated to be received prior to the June 20, 2008 Board meeting.
- Reclamation District 150 has endorsed this application.

CEQA Compliance:

The Central Valley Flood Protection Board is lead agency under CEQA. Board staff has determined that the project is exempt under a Class 2 Categorical Exemption (CEQA Guidelines Section 15302(c)) covering replacement of existing structures and facilities. Board staff will file a Notice of Exemption with the State Clearinghouse if the permit is approved.

Section 8610.5 Compliance

1. Evidence that the Board admits into its record from any party, State or local public agency, or nongovernmental organization with expertise in flood or flood plain management:

The Board will make its decision based on the evidence in the permit application and attachments, this staff report, and any other evidence presented by any individual or group.

2. The best available science that related to the scientific issues presented by the executive officer, legal counsel, the Department or other parties that raise credible scientific issues.

The accepted industry standards for the work proposed under this permit as regulated by Title 23 have been applied to the review of this permit.

3. Effects of the decision on the entire State Plan of Flood Control:

This project has no effects on the State Plan of Flood Control.

4. Effects of reasonable projected future events, including, but not limited to, changes in hydrology, climate, and development within the applicable watershed:

None.

Staff Recommendation

Staff recommends that the Board find the project to be exempt from CEQA and to approve the permit.

List of Attachments

- A. Draft permit
- B. Location maps and photos

DRAFT

STATE OF CALIFORNIA
THE RESOURCES AGENCY
CENTRAL VALLEY FLOOD PROTECTION BOARD

PERMIT NO. 18268 BD

This Permit is issued to:

Bogle Vineyards, Inc.
37783 County Road 144
Clarksburg, California 95612

To replace existing 10-inch-diameter irrigation pipe with a 12-inch-diameter pipe through the left (east) bank levee of Elk Slough. The project is located south of Clarksburg on County Road 144 (Section 10, T6N, R4E, MDB&M, Reclamation District 150, Elk Slough, Yolo County).

NOTE: Special Conditions have been incorporated herein which may place limitations on and/or require modification of your proposed project described above.

(SEAL)

Dated: _____

Executive Officer

GENERAL CONDITIONS:

ONE: This permit is issued under the provisions of Sections 8700 – 8723 of the Water Code.

TWO: Only work described in the subject application is authorized hereby.

THREE: This permit does not grant a right to use or construct works on land owned by the Sacramento and San Joaquin Drainage District or on any other land.

FOUR: The approved work shall be accomplished under the direction and supervision of the State Department of Water Resources, and the permittee shall conform to all requirements of the Department and the Central Valley Flood Protection Board.

FIVE: Unless the work herein contemplated shall have been commenced within one year after issuance of this permit, the Board reserves the right to change any conditions in this permit as may be consistent with current flood control standards and policies of the Central Valley Flood Protection Board.

SIX: This permit shall remain in effect until revoked. In the event any conditions in this permit are not complied with, it may be revoked on 15 day's notice.

SEVEN: It is understood and agreed to by the permittee that the start of any work under this permit shall constitute an acceptance of the conditions in this permit and an agreement to perform work in accordance therewith.

EIGHT: This permit does not establish any precedent with respect to any other application received by the Central Valley Flood Protection Board.

NINE: The permittee shall, when required by law, secure the written order or consent from all other public agencies having jurisdiction.

TEN: The permittee is responsible for all personal liability and property damage which may arise out of failure on the permittee's part to perform the obligations under this permit. If any claim of liability is made against the State of California, or any departments thereof, the United States of America, a local district or other maintaining agencies and the officers, agents or employees thereof, the permittee shall defend and shall hold each of them harmless from each claim.

ELEVEN: The permittee shall exercise reasonable care to operate and maintain any work authorized herein to preclude injury to or damage to any works necessary to any plan of flood control adopted by the Board or the Legislature, or interfere with the successful execution, functioning or operation of any plan of flood control adopted by the Board or the Legislature.

TWELVE: Should any of the work not conform to the conditions of this permit, the permittee, upon order of the Central Valley Flood Protection Board, shall in the manner prescribed by the Board be responsible for the cost and expense to remove, alter, relocate, or reconstruct all or any part of the work herein approved.

SPECIAL CONDITIONS FOR PERMIT NO. 18268 BD

THIRTEEN: All work approved by this permit shall be in accordance with the submitted drawings and specifications except as modified by special permit conditions herein. No further work, other than that approved by this permit, shall be done in the area without prior approval of the Central Valley Flood Protection Board.

FOURTEEN: The Central Valley Flood Protection Board, the State of California and/or any department(s) thereof and Reclamation District No. 150 shall not be held liable for damage(s) to the herein permitted project resulting from release(s) of water from reservoirs, flood fight, operation, maintenance, inspection, or emergency repair.

FIFTEEN: The permittee is responsible for all liability associated with construction, operation, and maintenance of the herein permitted encroachment and shall defend and hold harmless the Central Valley Flood Protection Board, the State of California and/or any department(s) thereof and Reclamation District No. 150 from any liability or claim(s) of liability associated therewith.

SIXTEEN: The permittee shall be responsible for repair of any damage(s) to the flood control project works due to construction, operation and/or maintenance of the herein permitted encroachment.

SEVENTEEN: The permittee shall contact the Department of Water Resources by telephone, (916) 574-1213, and submit the enclosed postcard to schedule a preconstruction conference. Failure to do so at least 10 working days prior to start of work may result in delay of the project.

EIGHTEEN: A temporary bench mark set to a known datum shall be placed at the site during construction.

NINETEEN: All cleared trees and brush shall be completely burned or removed from the flood control

project works, and downed trees or brush shall not remain in/on the project works during the flood season from November 1st to April 15th.

TWENTY: No excavation shall be made or remain in the levee section during the flood season from November 1st to April 15th.

TWENTY-ONE: Stockpiled material and/or equipment shall not remain within/upon the flood control project works during the flood season from November 1st to April 15th.

TWENTY-TWO: Pipe installed in the levee section and within 10 feet of the levee toes shall be new steel and at least 7 gauge. Steel pipe shall be corrosion-proofed externally with a coating of coal-tar enamel; asphalt-saturated felt wrap; cement mortar; or PVC or polyethylene tape wrapped to a thickness of 30 mils. Steel pipe shall be corrosion-proofed internally with a continuous lining of cement mortar or asphalt.

TWENTY-THREE: A positive-closure device that is readily accessible during periods of high water shall be installed on the waterward side of the levee.

TWENTY-FOUR: All pipe joints within the levee section shall be butt welded.

TWENTY-FIVE: The pipe shall be installed through the levee section at a right angle to the centerline of the levee.

TWENTY-SIX: The invert of the pipe(s) through the levee section shall be above the design flood plane elevation of 18 feet, NGV Datum.

TWENTY-SEVEN: The pipe and conduit shall be buried at least 12 inches below the levee slope.

TWENTY-EIGHT: The electrical conduit and water pipe shall be buried at least 24 inches below the levee crown.

TWENTY-NINE: The electrical conduit and water pipe shall be placed a minimum of 6 inches apart vertically.

THIRTY: The pipe shall be placed in the center of an open trench 2 feet wider than the diameter of the pipe or 2 times the diameter, whichever is greater.

THIRTY-ONE: Density tests by a certified materials laboratory will be required to verify compaction of backfill within the levee section.

THIRTY-TWO: Only impervious material shall be used for bedding or backfill within the levee section.

THIRTY-THREE: All fill material shall be imported impervious material with 20 percent or more passing the No. 200 sieve, a plasticity index of 8 or more, and a liquid limit of less than 50 and free of lumps or stones exceeding 3 inches in greatest dimension, vegetative matter, or other unsatisfactory material. Fill material shall be compacted in 4- to 6-inch layers to a minimum of 90 percent relative compaction as measured by ASTM Method D1557-91.

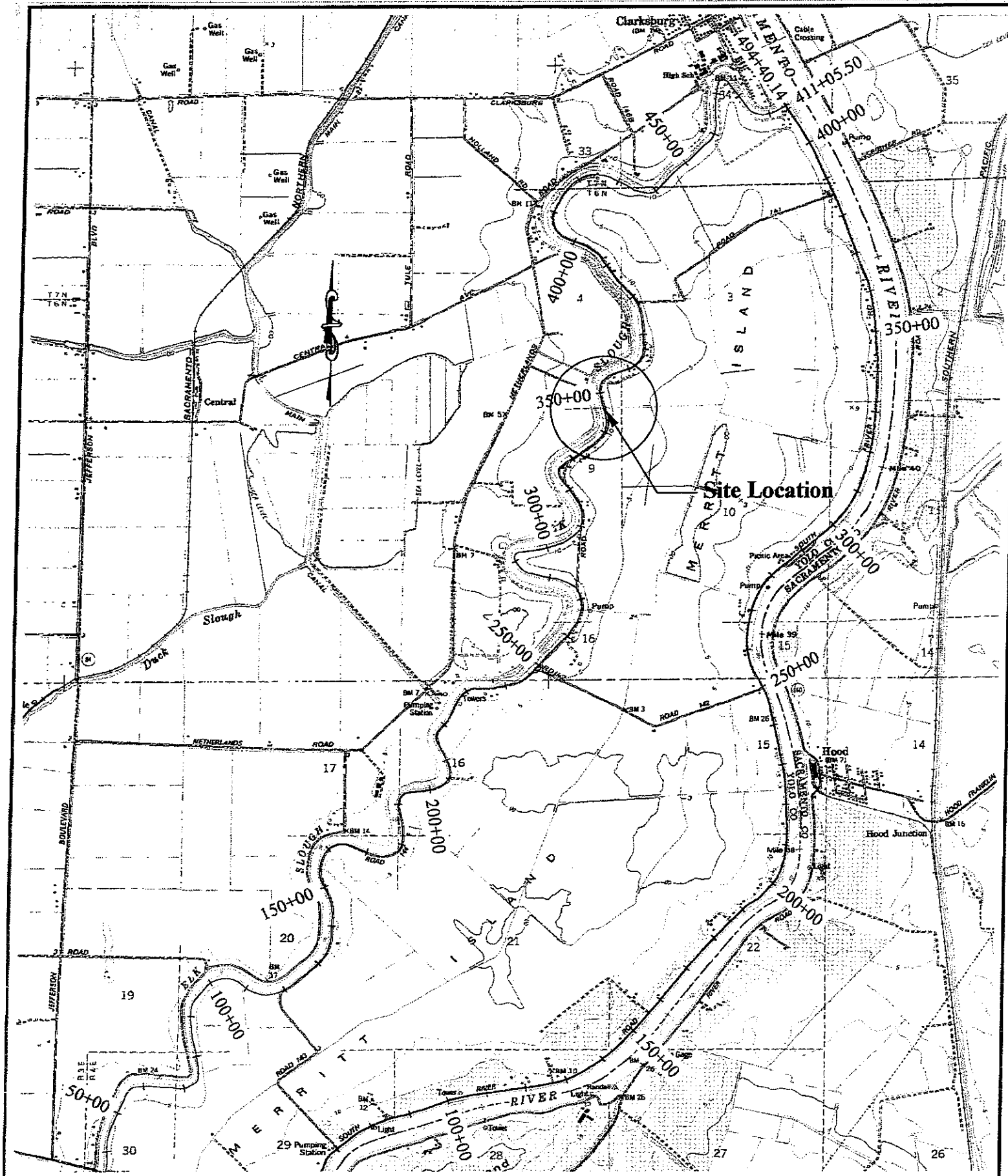
THIRTY-FOUR: All debris generated by this project shall be disposed of outside the project works.

THIRTY-FIVE: The permittee shall maintain the permitted encroachment(s) and the project works within the utilized area in the manner required and as requested by the authorized representative of the Department of Water Resources, Reclamation District No. 150 or any other agency responsible for maintenance.

THIRTY-SIX: The permittee may be required, at permittee's cost and expense, to remove or alter all or any part of the herein permitted project if removal or alteration is necessary as part of or in conjunction with any present or future flood control plan or project or if damaged by any cause. If the permittee does not comply, the Central Valley Flood Protection Board may remove or modify the herein permitted project at the permittee's expense.

THIRTY-SEVEN: If the project, or any portion thereof, is to be abandoned in the future, the permittee or successor shall abandon the project under direction of the Central Valley Flood Protection Board and Department of Water Resources, at the permittee's or successor's cost and expense.

THIRTY-EIGHT: The permittee shall comply with all conditions set forth in the letter from the Department of the Army dated X XX, 2008, which is attached to this permit as Exhibit A and is incorporated by reference.



2450 Alhambra Boulevard, 2nd Floor
 Sacramento, California 95817
 Phone: (916) 456-4400 • Fax: (916) 456-0253

Bogle Vineyards, North Property - Merritt Island

Pipe Replacement Location

SCALE:	1" = 300'
JOB NUMBER:	2110
DRAWN BY:	MM
DATE:	July 2007
Use Length On Original Drawing Equals One Inch. Adjust Scale Accordingly	



Looking at waterside pump and siphon pipe at Levee Mile 6.6, facing Northwest.

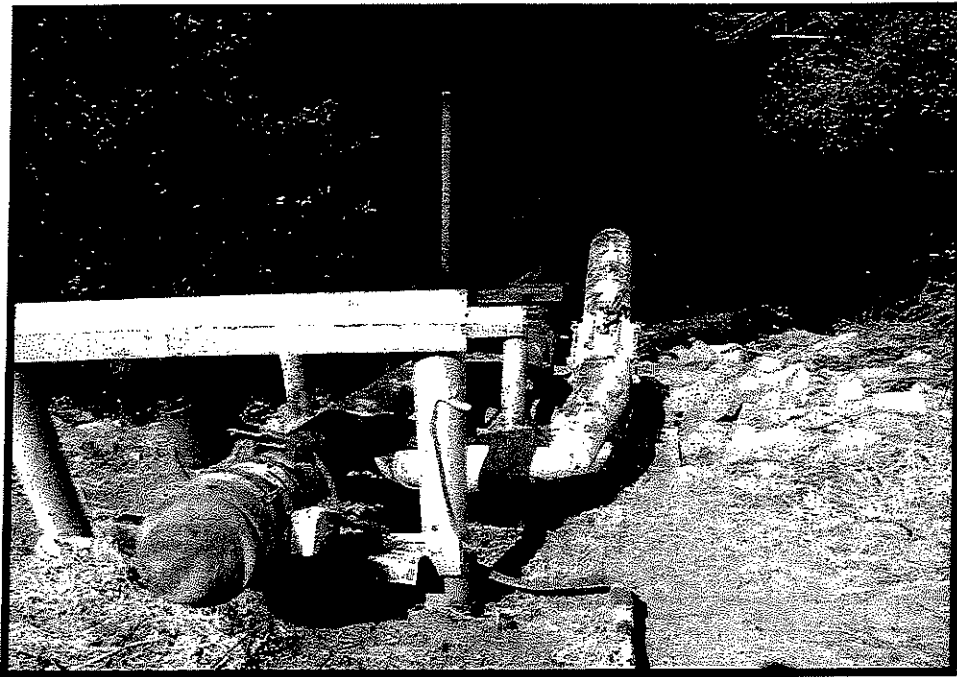


Looking North along waterside shoulder of County Road 144 past site location.

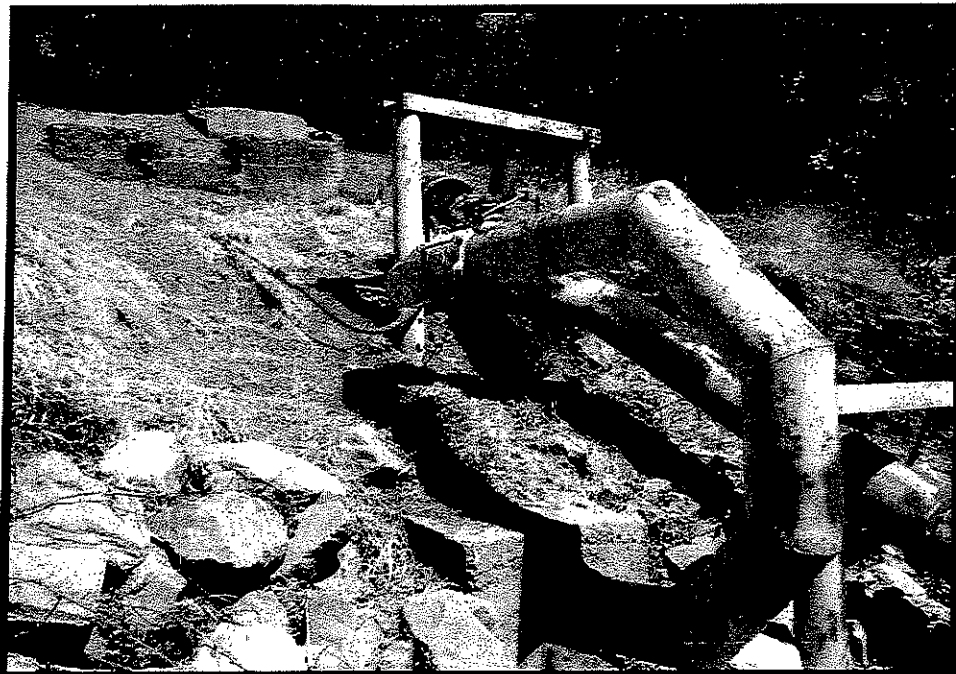
Bogle Vineyard Pipe Replacement Application – July 17, 2007

Photographer - Michael Moncrief

MBK 
ENGINEERS



Looking down waterside slope at existing 10" Diameter pipe and apertures.



Looking at waterside slope at entry point of existing pipe sleeved through older utility pipe.

Bogle Vineyard Pipe Replacement Application – July 17, 2007

Photographer - Michael Moncrief

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Close up of sleeved pipe which is possible source of leak at high water.



Landside toe of levee where pipe daylights at a concrete standpipe for access and protection.

Bogle Vineyard Pipe Replacement Application – July 17, 2007

Photographer - Michael Moncrief

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